

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. CR12-095-RAJ
v.)
JAMES L. HENDERSON,) DETENTION ORDER
Defendant.)

Offense charged: Conspiracy to Unlawfully Deal in Firearms; Unlawful Dealing in Firearms; Felon in Possession of a Firearm

Date of Detention Hearing: April 23, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant's past criminal record includes multiple failures to appear for court, with resulting bench warrant activity. There are currently two active bench warrants outstanding. His past criminal record includes two prior firearms offenses. He is a convicted felon, but was allegedly in possession of a loaded firearm at the time of the instant arrest.

2. Defendant has a relatively unstable residential history and has not been employed since 2008. He allegedly admits to regular use of PCP and marijuana.

3. The instant charges involve allegations relating to trafficking in multiple high quality semi-automatic weapons, shotguns, illegally sawed-off shotguns and a silencer. Many of the weapons were allegedly stolen several days previously and one weapon alleged is said to have been recently involved in a shooting in the South Lake Union area.

4. Defendant poses a risk of nonappearance due to a history of failing to appear, active warrants, lack of employment and untreated substance abuse issues. Defendant poses a risk of danger due to criminal history, the nature and circumstances of the instant offense, and possession of a loaded firearm at the time of arrest.

5. There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

1. Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

01 2. Defendant shall be afforded reasonable opportunity for private consultation with
02 counsel;

03 3. On order of the United States or on request of an attorney for the Government, the
04 person in charge of the corrections facility in which defendant is confined shall deliver
05 the defendant to a United States Marshal for the purpose of an appearance in connection
06 with a court proceeding; and

07 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
08 for the defendant, to the United States Marshal, and to the United State Pretrial Services
09 Officer.

10 DATED this 23rd day of April, 2012.

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13 Mary Alice Theiler
14 United States Magistrate Judge